

MEMO ENDORSED

## DOUGHERTY, RYAN, GIUFFRA, ZAMBITO &amp; HESSION

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August 23, 2007

VIA FACSIMILE

(212) 805-6724

Honorable Frank Maas  
United States Magistrate Judge  
U.S. Courthouse  
500 Pearl Street  
New York, NY 10007*The initial pretrial  
conference is adjourned  
to September 28, 2007  
at 2 pm.**Fd/maas, USMJ  
8/24/07*Re: Hartford Fire Insurance Company v. Aries  
Freight Systems, L.P.  
07 Civ. 3398 (BSJ)(FM)  
Our File: 07-60-3730/PJZ

Sir:

We represent defendant Aries Freight Systems, L.P. in the captioned matter

We write on consent to respectfully request an adjournment of the initial conference scheduled for September 5, 2007 at 4:00 p.m. for the reasons which follow.

Initially, kindly note that Roman Badiak, Esq. retired on Monday, August 20, 2007. The matter has only recently been reassigned to Alfred Will, Esq.

I returned from vacation on August 9, 2007. This file was received by me (the only one handling it) on August 10, 2007. I am pursuing data so as to be able to evaluate the merits of the claim.

In short, I respectfully suggest that a conference two (2) weeks from now and less than a month after I received the file, even though an initial one, would not be productive. For instance, I would be hard-pressed to respond to items 3. a, c and g and 4 through 7 of your Honor's Order for Conference dated August 21, 2007.

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Accordingly, counsel for the parties hereto respectfully request that the September 5, 2007 conference be adjourned to a date in the latter part of September 2007, excepting September 20.

Further, in deference to Mr. Will, who resides in Long Island and has his office in Mineola, counsel respectfully request that if this application is granted, the conference be scheduled for mid to late morning or early afternoon.

Lastly, plaintiff's counsel received a message, indicating that a teleconference with your Honor was scheduled for September 4, 2007 at 10:00 a.m. We did not receive such a message from your Honor's chambers. In any event, the writer will be out-of-town on September 4, 2007.

Thank you for your consideration of the foregoing application.

Very respectfully yours,

DOUGHERTY RYAN GIUFFRA ZAMBITO & HESSION

BY:  PETER J. ZAMBITO

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